

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EVA HOLLOWAY,)	
Plaintiff,)	
)	
v.)	C.A. No. 05-11110-NMG
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION,)	
Defendant.)	

MEMORANDUM AND ORDER

By Order of June 13, 2005, plaintiff's application to proceed without prepayment of fees was denied and plaintiff was granted additional time to submit a new application as well as demonstrate good cause why this action should not be dismissed. A copy of the Order was mailed to plaintiff at the West Bridgewater address listed on her pleadings. On June 29, 2005, the Order was returned by the postal service as undeliverable.

Plaintiff has apparently moved and she has failed to inform the Court of her new address as required under this Court's local rules. See District of Massachusetts Local Rule 83.5.2(e). Local Rule 83.5.2(e) requires a party appearing pro se to notify the clerk of any change of address and provides that any party appearing pro se that has not filed an appearance or provided a current address "shall not be entitled to notice."

Under Federal Rule of Civil Procedure 41(b), a court may dismiss a claim "for failure of the plaintiff to prosecute or to comply with these rules or any order of the court." See Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962). The fact that

plaintiff has not kept the Court advised of her current address suggests that she may have lost interest in pursuing the claims asserted in her complaint. The Court is not required to delay disposition in this case until such time as plaintiff decides to comply with the requirement of providing her current address.

Accordingly, this action is subject to dismissal for want of prosecution pursuant to Rule 41(b).

ORDER

Based upon the foregoing, it is hereby ORDERED that this action is dismissed without prejudice for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. A copy of this Order will be mailed to plaintiff at the address shown on the docket sheet and on her pleadings.

SO ORDERED.

Dated at Boston, Massachusetts, this 9th day of November, 2005.

/s/ Nathaniel M. Gorton
NATHANIEL M. GORTON
UNITED STATES DISTRICT JUDGE